

Ordinance No. 96668

AN ORDINANCE transferring partial jurisdiction over certain City (Lighting Department) property in Sections 23 and 26, Township 40 North, Range 43 East, W.M., Pond Oreille County, Washington, to the Water Department to exchange for Forest Service property in the Cedar River Watershed, and making an appropriation from the Water Fund.

5-268-*Jess*

COMPTROLLER 260688
FILE NUMBER 260707

Council Bill No. 88201

INTRODUCED: APR 29 1968	BY: <i>Finance</i> City Utilities
REFERRED: APR 29 1968	TO: <i>Finance City Utilities</i>
REFERRED:	
REFERRED:	
REPORTED: MAY 6 1968	SECOND READING: MAY 6 1968
THIRD READING: MAY 6 1968	SIGNED: MAY 6 1968
PRESENTED TO MAYOR: MAY 7 1968	APPROVED: MAY 9 1968
RETD. TO CITY CLERK: MAY 9 1968	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

CSS 8.1.97

PUB (BC)
BLDG.
ENG.
B.O.C.
A.C.
S.E.
C.C.
C.C.

Unanimous Vote
YES <input checked="" type="radio"/> NO <input type="radio"/>

SEE DEED #14179

Ordinance No. 56663

AN ORDINANCE transferring partial jurisdiction over certain City (Lighting Department) property in Sections 23 and 26, Township 40 North, Range 43 East, W.M., Pend Oreille County, Washington, to the Water Department to exchange for Forest Service property in the Cedar River Watershed, and making an appropriation from the Water Fund.

5-2-68-1222

COMPTROLLER 260688
FILE NUMBER 260707

Council Bill No. 88201

INTRODUCED, APR 29 1968	BY, City Utilities
REFERRED, APR 29 1968	TO, City Utilities
DEFERRED, MAY 5 1968	
REPORTED, MAY 5 1968	SECOND READING, MAY 5 1968
THIRD READING, MAY 5 1968	SIGNED, MAY 5 1968
PRESENTED TO MAYOR, MAY 7 1968	APPROVED, MAY 9 1968
SENT TO CITY CLERK, MAY 9 1968	PUBLISHED
VETOED BY MAYOR,	VETO PUBLISHED
PASSED OVER VETO,	VETO SUSTAINED

CSS 8.1.97

SEE DEED #14179

Unanimous Vote
YES 6 NO 0

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ENG.
A. C. +
S. E.
C. O.
LIGHT

Water ✓
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ORDINANCE 90668

AN ORDINANCE transferring partial jurisdiction over certain City (Lighting Department) property in Sections 23 and 26, Township 40 North, Range 43 East, W.M., Pend Oreille County, Washington, to the Water Department to exchange for Forest Service property in the Cedar River Watershed, and making an appropriation from the Water Fund.

WHEREAS, the property hereinafter described was acquired by the City for Lighting Department purposes (Boundary Hydroelectric Project) and, subject to the reservation of property rights hereinafter specifically set forth, is no longer useful for such purposes, and is surplus to the needs of the Lighting Department; and

WHEREAS, the Superintendent of Water has requested (C.F. 260688) that jurisdiction over such property be transferred to the Water Department to exchange for Forest Service property in the Cedar River Watershed in connection with the City's Cedar River Water Supply Project and that consideration for such transfer be \$15,000; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That upon payment of Fifteen Thousand Dollars (\$15,000) to the Light Fund, jurisdiction over the following described property:

Government Lots 5 and 9, Section 23, and Government Lot 1, Section 26, all in Township 40 North, Range 43 East, W.M.

is hereby transferred from the Lighting Department to the Water Department for use in connection with the City's Cedar River Water Supply Project land exchange program with the United States Forest Service, reserving however to the jurisdiction of the Lighting Department, its successors and assigns, the property rights hereinafter described, and any conveyance made in connection with said exchange program shall contain the following reservations and provisions:

"RESERVING in The City of Seattle, and under the jurisdiction of the Department of Lighting, its successors and assigns, all minerals and mineral rights underlying the above described lands. Provided, however, said rights are to be exercised

under the conditions, rules and regulations of the Secretary of Agriculture as set forth in Code of Federal Regulations - Title 36 - Chapter II - Section 251.15, titled 'Conditions, Rules and Regulations to Govern Exercise of Mineral Rights Reserved in Conveyances to The United States' and copy of which is attached and made a part hereof. Also permanent rights of access over and across said land for purposes of access to and maintenance of Boundary Project Reservoir Lands and appurtenances thereof, ALSO

RESERVING FURTHER in The City of Seattle, and under the jurisdiction of the Lighting Department, the right, privilege and authority to overflow and inundate the above described lands to an elevation of 1995 feet, together with the rights of saturation, percolation, wave action, and drawdown and backwater incidental thereto and effects therefrom, all incident to the construction, operation and maintenance of the Boundary Dam Project as licensed by The Federal Power Commission under F.P.C. License No. 2144.

AND PROVIDING THAT any successor to any interest in the above described tracts of land shall be subject to all risk of damage to the described property and any improvements placed thereon which may result from the exercise of the aforesaid reserved rights."

Section 2. That the sum of Fifteen Thousand Dollars (\$15,000) is hereby declared to be the true and full value of the property rights described in Section 1 hereof, and to effectuate the transfer of jurisdiction authorized in Section 1 hereof, said sum or so much thereof as may be necessary, is hereby appropriated from the Water Fund as an expenditure for utility purposes not contemplated by the 1968 Budget of the Water Department and the City Comptroller is authorized to draw and the City Treasurer to pay the necessary warrants.

Section 3. That any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6 day of May, 1968,
and signed by me in open session in authentication of its passage this 6 day of
May, 1968. Mrs. Harlan H. Edwards

President Pro Tem of the City Council.

Approved by me this 9 day of May, 1968.
[Signature]
Mayor.

Filed by me this 9 day of May, 1968.

Attest: [Signature]
City Comptroller and City Clerk.

(SEAL)

Published.....

By W. A. Perine
Deputy Clerk.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on Finance and City Utilities

MAY 6 1962

to which was referred C. B. No. 88201,

transferring partial jurisdiction over certain City (Lighting Department) property in Sections 23 and 26, Township 40 North, Range 43 East, W.M., Pend Oreille County, Washington, to the Water Department to exchange for Forest Service property in the Cedar River Watershed, and making an appropriation from the Water Fund,

RECOMMEND THAT THE SAME DO PASS.

Fred Bush

Fin.
Chairman

Alexander

C.U.
Chairman

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Committee